

Reference Number: 418-01-DD

Title of Document TERI AND RETIREE EMPLOYMENT

Date of Issue: August 1, 2005

Effective Date: August 1, 2005

Last Review Date: October 1, 2007 Revised

Date of Last Revision: October 1, 2007

Applicability: All DDSN State Employee

The language in this policy does not create an employment contract between the employee and the SC Department of Disabilities and Special Needs (SCDDSN). SCDDSN reserves the right to revise the contents of this policy, in whole or in part.

PURPOSE

The purpose of the TERI and Retiree Employment Policy is to provide information and guidance in the employment of individuals who are former TERI participants or are individuals who have retired through the South Carolina Retirement Systems without participation in the TERI program.

DEFINITIONS

TERI Retiree – A person who has retired through the South Carolina Retirement Systems and has been a program participant in the Teacher and Employee Retention Incentive Program.

Non-TERI Retiree - A person who has retired through the South Carolina Retirement Systems and has not been a program participant in the Teacher and Employee Retention Incentive Program.

Guidelines

1. TERI or non-TERI retirees may express an interest in employment with the South Carolina Department of Disabilities and Special Needs (DDSN) by completing and submitting the attached form to the appropriate **facility administrator, deputy state director, or associate state director**. The completed form with appropriate recommendations and supporting documentation should be forwarded to the DDSN Director of Human Resources for coordination of required Human Resource actions and approval of the State Director.
2. All decisions to hire TERI and non-Teri retirees are at the discretion of the agency head after consideration of recommendations from the appropriate Facility Administrator, Deputy State Director, or Associate State Directors and will be based on the business needs of the agency as it relates to DDSN's ability to continue its mission.
3. Determining the employment of TERI and Non-TERI retirees of the South Carolina Retirement Systems is based on DDSN's judgment as to how to best align and organize its resources. Thus, DDSN makes no guarantee of employment to a TERI participant after the completion of the TERI program or any non-TERI retiree.
4. Former TERI employees who request to return to employment in the same classification from which they retired and are approved for rehire, may return in a temporary employment status or to the same position from which they retired. Former TERI employees who are approved for rehire and return to employment in the same position/classification will have their positions reviewed on an annual basis thereafter and continued employment will be at the discretion of the State Director or his designee.
5. Any non-TERI retiree who requests to return to employment in the same classification from which they retired and are approved for rehire, may return to a full-time equivalent (FTE) position or to a temporary position. A non-TERI retiree who is approved for rehire and returns to employment in the same position/classification will have their positions reviewed on an annual basis thereafter and continued employment will be at the discretion of the State Director or his designee.
6. Former TERI and Non-TERI retirees who do not return to the same position may apply for and if selected and approved be employed in an FTE or temporary position available in the department.
7. TERI or non-TERI retirees may be paid at a salary rate deemed appropriate and is within the guidelines of Office of Human Resources classification and compensation regulations. Salary rate is negotiable and SC DDSN makes no guarantee that TERI or TERI retirees will be compensated at the rate earned prior to separation from employment.

TERI employees and non-TERI retirees must be separated from state employment and **experience a break in service before they can be rehired**. A TERI employee's separation will be treated like all other separations with a break in service.

It should be noted that upon separation, not including retirement, from state employment with a break in service, **all earned sick leave is forfeited.**

Annual leave credits will be paid at the time of separation, termination of permanent full-time employment as outlined in current OHR Regulations.

Retirees hired by a state agency after June 30, 2005 will not receive payment for unused annual leave following termination.

As before, retirees occupying a full-time equivalent (FTE) position will continue to be eligible for earning annual leave at the bonus rate.

Current and future retired members of the South Carolina Retirement System, except TERI participants who entered the program prior to June 6, 2005, hired by an agency to fill all or some fraction of a full-time equivalent (FTE) position will be exempt from the State Employee Grievance Procedure Act effective July 1, 2005.

Current and future retirees, except TERI participants who entered the program prior to June 6, 2005, who are hired into a full-time equivalent (FTE) position will be exempt from the State Employee Grievance Procedure Act and therefore will not retain reduction-in-force rights.

Bill Barfield
Deputy State Director, Administration
(Originator)

Stanley J. Butkus, Ph.D.
Director State Director
(Approved)

Attachment: - TERI/Retiree Employment Interest Form
(Please see the attachment for this form under “Attachments to Directives” under this directive number.)

THE ABOVE INFORMATION IS TO BE USED AS A GUIDE AND IS NOT INTENDED TO BE ALL INCLUSIVE. THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.